

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Wednesday, the 3rd day of July 2024 / 12th Ashadha, 1946

WP(C) NO. 23964 OF 2024 (U)

PETITIONER:

1. GURUDEVA COLLEGE OF ADVANCED STUDIES, KOYILANDY REPRESENTED BY ITS PRINCIPAL, KOZHIKODE DISTRICT, PIN - 673305
2. DR. SUNIL BHASKARAN AGED 52 YEARS S/O BHASKARAN, PRINCIPAL, GURUDEVA COLLEGE OF ADVANCED STUDIES, KOYILANDY, KOZHIKODE DISTRICT – 673 305, RESIDING AT VATTAKKATTIL HOUSE, VADAKKENIRAPPU P.O., NEEZHOOOR, KOTTAYAM, PIN - 686112

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM , PIN - 695001
2. DIRECTOR GENERAL OF POLICE POLICE HEADQUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014
3. DEPUTY SUPERINTENDENT OF POLICE OFFICE OF DEPUTY SUPERINTENDENT OF POLICE, VADAKARA, VADAKARA.P.O., KOZHIKODE, PIN - 673101
4. STATION HOUSE OFFICER POLICE STATION, KOYILANDY, KOYILANDY.P.O., KOZHIKODE, PIN - 673305
5. SUB INSPECTOR OF POLICE POLICE STATION, KOYILAND, KOYILANDY.P.O., KOZHIKODE, PIN - 673305
6. ABHINAV.B.R. S/O RAJITHA, PRESIDENT, AREA COMMITTEE, STUDENTS FEDERATION OF INDIA, KOYILANDY, KOYILANDY.P.O., KOZHIKODE – 673 305. RESIDING AT THEKKEPAZHAM KAVIL, NADERI, KOZHIKODE, PIN - 673620
7. AMALJITH.A.S. S/O ANILKUMAR, 3RD YEAR B.A. (ENGLISH), RSM SNDP YOGAM COLLEGE, KOYILANDY.P.O., KOZHIKODE – 673 305, RESIDING AT KUNNATH HOUSE, MELUR (P.O.), KOYILANDY, KOZHIKODE, PIN - 673306
8. ANUNAD.A.R. S/O ANILKUMAR, UNIT SECRETARY, SFI, RSM SNDP YOGAM COLLEGE, KOYILANDY.P.O., KOZHIKODE – 673 305, RESIDING AT ANIL NIVAS, THIKKODI.P.O., KOZHIKODE, PIN - 673529
9. SHAN.K. SHAJI S/O SHAJI.K., 2ND YEAR, BBA, RSM SNDP YOGAM COLLEGE, KOYILANDY.P.O., KOZHIKODE – 673 305 RESIDING AT KARTHIKA HOUSE, GULF ROAD, POOKKAD, KOZHIKODE, PIN - 673304

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct respondents 1 to 5 to afford adequate and effective police protection to the lives of 2nd petitioner, teaching/non-teaching staff, students in the college and property of college so as to ensure peaceful conduct of the college from the acts of violence of respondents 6 to 9 and outsiders supporting them from entering into college and indulging in any sort of agitation, strike, protest so as to disrupt the academic activity by conducting dharna, kharao, sit-up, raising slogans, hunger strike, processions, meetings so as to disrupt tutorial classes and the functioning of office of the college, pending disposal of the writ

petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.R.T.PRADEEP, P.BIJIMON, M.BINDUDAS & NIRANJAN T. PRADEEP, Advocates for the petitioners, and of GOVERNMENT PLEADER for R1 to R5 (By Order), the court passed the following:

ORDER

Issue notice to respondents 6 to 9 by Special Messenger. The learned Government Pleader to get instructions from R1 to R5.

Averting to the rather serious allegations made by the petitioners, including that the second among them who is the Principal of the College, was physically attacked by some of the party respondents, I am certain that the police must intervene strongly and swiftly particularly because, otherwise, the lives of students and their discipline would be affected.

Respondents 4 and 5 will therefore, cause necessary protection to be offered to the college, to the Principal, to the Staff and Students, as per the instructions to be given to them by the Said Principal; and ensure that law and order is maintained without any breach in any manner whatsoever. The police will ensure that discipline in the campus and outside are implicitly maintained, without any person, including the party respondents, being permitted to conduct themselves in violation of law. Any dispute between the parties shall be averted to degenerate into law and order issues; and necessary steps in this regard shall be taken by the Said officer without fail.

I direct the 3rd respondent to ensure that the afore directions are oversee in its letter and spirit, particularly when the college is said to reopen after the alleged incidents tomorrow.

List on 8/7/2024.

Hand Over.

Sd/- DEVAN RAMACHANDRAN, JUDGE

